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February 1, 2005

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TO: Ms. Daniela Jones
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FROM: GUY D. YALE, ESQ.

MESSAGE: Please see attached pages.

NUMBER OF PAGES TRANSMITTED (including this cover page) 47

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PLEASE CONTACT ALIX, YALE & RISTAS, LLP.

CONFIRMATION COPY TO FOLLOW ☐ YES ☒ NO

Re: United States RCE Patent Application
Corresponding to United States Patent Application No. 09/923,288
Title: Deck Screws Suitable for Use with Composite Lumber
Inventor(s): Hubert T. McGovern, et al
Filing Date: August 6, 2001
Our Ref: OMG/129/US

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Missing 38 pages

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Ser No: 09/123,288 Docket: OMG/129/US Date: DEC 20 2004
Title/Mark: Deck Screws Suitable for Use with....
Applicant: Hubert I McGovern et al

TO: The Honorable Commissioner of Patents and Trademarks

Please acknowledge receipt of the items checked below by stamping hereon the filing date (and application number, if applicable).

<input type="checkbox"/> New patent application: <u>Utility</u> <u>Design</u>	<input type="checkbox"/> Missing parts of application:
<input type="checkbox"/> Declaration and Power of Attorney <u>Unsworn</u>	<input type="checkbox"/> Missing Parts Fee: \$
<input type="checkbox"/> pages of specification include <u>independent</u> and <u>dependent</u> claims	
<input type="checkbox"/> Drawing sheets; Figs. <u>Formal</u> <u>Informal</u>	
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<input type="checkbox"/> Copy of international application	<input type="checkbox"/> Assignment w/\$ Fee
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<input type="checkbox"/> Amendment to Application to Register Mark <input type="checkbox"/> Specimens <input type="checkbox"/> Affidavit under \$	
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<input checked="" type="checkbox"/> Declaration of Commercial Success	
<input checked="" type="checkbox"/> Submission Amendment Reply Filed with PCE	

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EV568728745US

Attorney Docket: OMG/129/US**NEW UTILITY PATENT APPLICATION TRANSMITTAL**

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the ☒ Utility ☐ Design patent application of:
First named Inventor: Hubert T. McGovern, et al
For: Deck Screws Suitable for Use with Composite Lumber

Enclosed are:

- ☐ Sheets of Specification
☐ Drawing Sheets Containing Figures _____ to _____ ☐ Formal ☐ Informal
☒ A Return Receipt Postcard.
☐ An Assignment of the Invention.
☐ A Certified Copy of a _____ Application.
☐ A Copy of Inventor's Declaration ☐ signed ☐ unsigned
☐ An Application Data Sheet.
☒ Declaration Under 37 C.F.R. §1.132 of Commercial Success and Unexpected Results
☒ Submission Under 37 CFR §1.114, Amendment and Reply Filed With Request for
☒ Continued Examination (RCE)

☒ If checked, this application is a:

- ☐ Continuation
☐ Continuation-in-part
☐ Divisional
☒ Request for Continued Examination (RCE)

Application of prior United States Patent Application No. 09/923,288 previously examined by
Jori Schiffman (Examiner) in Group/Art Unit 3679

For Continuation or Divisional Applications: The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☐ If checked, a REQUEST FOR NONPUBLICATION OF APPLICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) is attached:

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on December 20, 2004, and is addressed to the "Mail Stop Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450".


Talisha L. Cooper

Attorney Docket: OMG/129/US

The filing fee has been calculated for a Utility Application as shown below::

Basic fee, Search fee and Examination fee	1	\$1000	\$1,000.00
Total claims in excess of 20	24	\$50	\$1,200.00
Independent claims in excess of 3	4	\$200	\$ 800.00
No. multiple dependent claims presented		\$360	\$ 0.00
Application size fee (for each 50 sheets or fraction thereof if the specification and drawings exceed 100 sheets of paper)		\$250	\$ 0.00
fee subtotal			<u>\$3,000.00</u>

☐ if checked, Applicant(s) is(are) a small entity and is entitled to a 50% reduction in the above fee.

filing with a non-English specification

\$130

national fee enclosed

***.00

☒ A check in the amount of \$ 3,000.00 to cover the RCE filing fee is enclosed.

☒ It is hereby petitioned that any required extension of time be granted for filing the amendment. An extension of 3 month(s) having a fee of \$ 1,020.00 appears required.

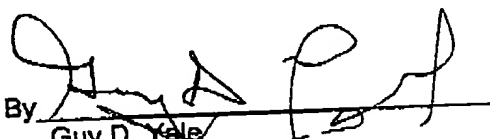
☒ A check in the amount of \$ 1,020.00 to cover the extension fee is enclosed.

☐ Please charge my Deposit Account No. 16-2563 in the amount of \$ _____ to Cover the filing fee. A duplicate of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additionally required fees associated with this communication or credit any overpayment to Deposit account No. 16-2563. A duplicate copy of this sheet is enclosed.

☐ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 required during the pendency of this application and to credit any overpayment to Deposit Account No. 16-2563. A duplicate copy of this sheet is enclosed.

Date: December 20, 2004
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By 
Guy D. Yale
Registration No. 29125
Attorney For Applicant